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Attorney for Plaintiff Dang Nguyen

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE

DANG QUANG NGUYEN, a single man,) NO. 5:09-cv-03728-JW

) NO. 5:09-cv-03728-JW

Plaintiff,) **NOTICE OF MOTION AND MOTION TO
) WITHDRAW AS COUNSEL OF RECORD
) FOR THE PLAINTIFF**

vs
FOR THE PLAINTIFF

STATS CHIPPAC, INC., a Delaware) **EXPEDITED RULING REQUESTED**
Corporation,)

Han et al. / *Environ Biol Fish* 97: 7–20, 2011.

Defendants.) Hearting Time: 9:00 a.m.

NOTICE IS HEREBY GIVEN that Counsel of record for Plaintiff Dang Quang Nguyen shall move this Court for an order permitting his withdrawal as counsel of record for Plaintiff pursuant to LRCiv. 11-5 on February 7, 2011 at 9:00 a.m. in the Honorable Judge Ware's courtroom in the San Jose Division of the Northern District of California. NOTICE IS FURTHER GIVEN that Counsel respectfully seeks expedited ruling on this Motion.

MOTION

Peter Kristofer Strojnik, counsel of record for Plaintiff, hereby moves this Court for an order permitting his withdrawal from representation of Plaintiff Dang Nguyen pursuant to LR

1 Civ. 11-5. The grounds for this Motion are Counsel and Plaintiff have encountered
2 irreconcilable differences in the representation. Additionally, Counsel and Plaintiff are unable
3 to communicate effectively without the continued expense of interpreters, which may inhibit
4 the most effective presentation of Plaintiff's claims to the Court and jury.
5

6 Counsel has implored Plaintiff to retain new counsel who speaks Vietnamese and has
7 undertaken significant efforts to find Vietnamese-speaking lawyers for him, but Plaintiff
8 Nguyen has agreed to act pro se upon Order permitting Counsel's withdrawal. Plaintiff
9 Nguyen's contact information for receipt of pleadings, correspondence and other court filings is
10 as follows:
11

12 **Dang Quang Nguyen**
13 **592 Chickasaw Court**
14 **San Jose, California 95123**
15 **Telephone: 408-480-0932**
16 **E-mail: nguyend202003@yahoo.co.in**

17 Based on the above, Peter Kristofer Strojnik respectfully requests a Court Order
18 allowing him to withdraw as Plaintiff's counsel in the above matter. The undersigned attorney
19 certifies that (a) the client has been notified in writing of the status of the case including the
20 dates and times of any deadlines, court hearings or trial settings, pending compliance with any
21 existing court orders, and (b) that absent Plaintiff securing new counsel, he will be representing
22 himself pro se until he retains new counsel. Counsel further certifies that Plaintiff has been
23 given reasonable notice of this Motion, and all other Parties, through their counsel, have been
24 given notice.
25

1 Peter Kristofer Strojnik will mail a copy of any Order the Court enters on this Motion to
2 the Plaintiff. A proposed form of Order is attached as Exhibit 1.
3
4

5 RESPECTFULLY SUBMITTED this 27th Day of October, 2010.
6

7 **THE STROJNIK FIRM L.L.C.**
8

9 /s/ Peter Kristofer Strojnik
10 Peter Kristofer Strojnik
11 Bank of America Tower
12 3030 North Central Avenue
13 Suite 1401
14 Phoenix, Arizona 85012
15 Attorney for Plaintiff Dang Nguyen
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19

20 Counsel certifies that a copy of this Motion
21 Has been sent via e-mail and U.S. Mail to
22 The Plaintiff Dang Nguyen at the following address:
23
24

25 Dang Quang Nguyen
592 Chickasaw Court
San Jose, California 95123
/s/ Peter Kristofer Strojnik